

ORIGINAL

✓  
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JAMES P. RILEY  
MARVIN ROSENBERG  
LONNA M. THOMPSON  
KATHLEEN VICTORY\*  
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\*NOT ADMITTED IN VIRGINIA

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TELECOMMUNICATIONS CONSULTANT  
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WRITER'S NUMBER  
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0415

March 18, 1993

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MAR 18 1993

VIA HAND DELIVERY

Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20036

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

RE: BPET-900904KF  
Bakersfield, California

Dear Ms. Searcy:

Transmitted herewith on behalf of Valley Public Television, Inc., are an original and four (4) copies of its Petition for Leave To Amend in connection with its above-referenced application.

Should any question arise concerning this matter, please communicate with this office.

Very truly yours,

FLETCHER, HEALD & HILDRETH

*Patricia A. Mahoney*  
Patricia A. Mahoney  
Counsel for  
Valley Public Television, Inc.

PAM/dlr  
Enclosure

cc: Roy J. Stewart, Esquire (w/enc.) (by hand)  
Theodore D. Frank, Esquire (w/enc.)

*Jackie*

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BEFORE THE

**Federal Communications Commission**

WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In re Application of

VALLEY PUBLIC TELEVISION, INC.

For Construction Permit for a  
New Noncommercial Educational  
Television Station on Channel \*39  
Bakersfield, California

File No. BPET-900904KF

Directed to: Chief, Mass Media Bureau

**PETITION FOR LEAVE TO AMEND**

Valley Public Television, Inc. (Valley), by its attorneys, hereby respectfully petitions, pursuant to Section 73.3522(a)(2) of the Commission's Rules, for leave to amend its above-captioned application to include an amendment filed simultaneously herewith, a copy of which is included herein. In support whereof, the following is submitted:

This amendment is submitted pursuant to Section 1.65 of the Commission's Rules. It reports changes to information previously reported for the officers, directors, and governing board of Valley, including the recent election of four new directors.

The amendment is also submitted pursuant to Section 73.3514 of the rules. It supplies information requested in FCC Form 340, including information about the new directors. Also, the percentages of voting control held by each voting member of the

previously reported the fact that each of the voting members of the board has one vote. This amendment reflects the fact that, since each of the voting members of the Board has one vote, each voting member has 9.09% of the total votes.

Good cause exists for acceptance of this amendment, which reports and supplies information required by the Commission's Rules. See, e.g., RKO General, Inc., 31 F.C.C.2d 919 (1971).

**WHEREFORE,** for the foregoing reasons, it is respectfully requested that the amendment submitted herewith be accepted.

Respectfully submitted,

VALLEY PUBLIC TELEVISION, INC.

By: Patricia A. Mahoney  
Richard Hildreth  
Patricia A. Mahoney

Its Attorneys

FLETCHER, HEALD & HILDRETH  
1300 N. 17th Street  
11th Floor  
Rosslyn, Virginia 22209  
(703) 812-0400

March 18, 1993

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

AMENDMENT

The application of Valley Public Television, Inc. (VPT), for authority to construct and operate a new noncommercial educational television station on Channel \*39, Bakersfield, California (FCC File no. BPET-900904KF), is hereby amended to report and reflect the election of four new directors and to include the attached materials.

Robert Oliver fills the term left vacant by the death of Mr. Eaton. Jan Kahn fills the vacancy left by the death of Mr. Bacigalupo. Mary K. Shell and Sherry Zaninovich have been elected to fill new Board positions.

All other representatons and responses to questions in the application remain unchanged.

VALLEY PUBLIC TELEVISION, INC.

By: *Carolyn Golde*  
(Name, Title) Secretary of the Board

Signed and dated this 11th  
day of March, 1993

## Section II - LEGAL QUALIFICATIONS

Name of Applicant

Valley Public Television, Inc.

1. Applicant is: *(Check one box below)*

- ☐ (a) governmental or public educational agency, board or institution
- ☐ (b) private nonprofit educational institution
- ☒ (c) Other *(specify)*

Exhibit No.  
A

2. For applicants 1(c) only, describe in an Exhibit the nature and educational purposes of the applicant.

Exhibit No.  
B

3. For applicants 1(c) applying for a new noncommercial educational television station only, describe in an Exhibit how the applicant's officers, directors and members of its governing board are broadly representative of the educational, cultural and civic segments of the principal community to be served.

Exhibit No.  
1

4. Describe in an Exhibit how the proposed station will be used, in accordance with 47 C.F.R. Section 73.503 or Section 73.621, for the advancement of an educational program.

5. Is there any provision contained in any by-laws, articles of incorporation, partnership agreement, charter, statute or other document which would restrict the applicant in advancing an educational program or complying with any Commission rule, policy or provision of the Communications Act of 1934, as amended?

☐ Yes ☒ No

If Yes, provide particulars in an Exhibit.

Exhibit No.  
N/A

### CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS

6. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction B to Section II.)

☐ Yes ☒ No

(b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

☐ Yes ☒ No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

Exhibit No.

7. (a) Has an adverse finding been made or an adverse final action taken by any court or administrative body with respect to the applicant or parties to the application in a civil or criminal proceeding, brought under the provisions of any law related to the following: any felony; mass media related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?

☐ Yes ☒ No

(b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a) above?

☐ Yes ☒ No

If the answer to (a) and/or (b) above is Yes, attach as an Exhibit a full disclosure of the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding is or was based or the nature of the offense alleged or committed, and a description of the current status or disposition of the matter. Where the requisite information has been earlier disclosed in connection with another application or as required by 47 U.S.C. Section 1.65(c) in the case of adjudicated proceedings, the applicant need

Exhibit No.

### PARTIES TO APPLICATION

8. Complete the following Table with respect to all parties to this application:

11/10/77. If the Court considers that to furnish complete information would pose an unreasonable burden, it may

### PARTIES TO APPLICATION

**8. Complete the following Table with respect to all parties to this application:**

**NOTE:** If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.)

**INSTRUCTIONS:** If applicant is a corporation or an unincorporated association with 50 or fewer stockholders, stock subscribers, holders of membership certificates or other ownership interests, fill out all columns, giving the information requested as to all officers, directors and members of governing board. In addition, give the information as to all persons or entities who are the beneficial or record owners of or have the right to vote capital stock, membership or ownership interests or are subscribers to such interests. If the applicant has more than 50 stockholders, stock subscribers or holders of membership certificates or other ownership interests, furnish the information as to officers, directors, members of governing board, and all persons or entities who are the beneficial or record owners of or have the right to vote 1% or more of the capital stock, membership or ownership interests. If applicant is a governmental or public educational agency, board or institution, fill out columns (a), (b), and (c) as to all members of the governing board and chief executive officers.

		Director or Member of	% of:
--	--	--------------------------	-------



OFFICE OF THE  
FIFTH DISTRICT  
SUPERVISOR

MARY K. SHELL

# County of Kern

## Bakersfield, California

September 8, 1992

### BIOGRAPHY

MARY K. SHELL

Mary K. Shell was first elected to the Kern County Board of Supervisors, representing the fifth district, in November, 1984. She was re-elected to a four year term in June, 1988, running unopposed. Prior to that she served as



columns appeared the following nine years. She also wrote

REGIONAL OFFICES

**FRESNO**  
TELEPHONE (800) 266-0117  
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**LOS ANGELES**  
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**NEWPORT BEACH**  
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FAX (714) 782-2884

**REDDING**  
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FAX (818) 241-1084

**SACRAMENTO**  
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FAX (818) 880-1814

**SAN BERNARDINO**  
TELEPHONE (714) 381-0887  
FAX (714) 381-0888

**SAN DIEGO**  
TELEPHONE (818) 832-2424  
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CABLE: "VERDICT"  
FAX: (805) 322-4629

F. E. BORTON (1877-1948)  
JAMES PETRINI (1897-1978)  
HARRY M. CONRON (1907-1971)  
KENNETH D. PINSENT (1953-1984)

REGIONAL OFFICES

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**SAN LUIS OBISPO**  
TELEPHONE (805) 841-4340  
FAX (805) 841-4888

**SANTA BARBARA**  
TELEPHONE (805) 884-2404  
FAX (805) 884-2178

**VENTURA**  
TELEPHONE (805) 888-3438  
FAX (805) 888-8884

**VISALIA**  
TELEPHONE (805) 887-5800  
FAX (805) 887-4308

IN REPLY REFER  
TO OUR FILE NO.

In response to your request for information on Sherry A. Zaninovich, the following is some background that might be helpful to you.

Mrs. Zaninovich is married to Mark D. Zaninovich and has two children, Brandan, age 9, and Brittany, age 8. They are residents of Bakersfield, and are involved in a family farming operation, V.B. Zaninovich & Sons, Inc. They grow table grapes in both Kern and Tulare County.

Mrs. Zaninovich is employed with the law firm of Borton, Petrini & Conron as an Administrative Assistant to George F. Martin and Bonnie Fitzgerald. She is also the Conference Coordinator for the prestigious Bakersfield Business and Finance Conference put on by Borton, Petrini & Conron annually.

Her civic responsibilities include present affiliations with the City of Bakersfield Planning Commission, and organizing a National Poetry Reading Day. She served as past President and Secretary for a non profit organization entitled Helping Hands which aided homeless and displaced citizens through feeding, housing and utilizing the proper relief agencies.

She is an active member of the Kern County Paralegal Association and recently accepted a Public Relations position with the same.

Mrs. Zaninovich is a proponent of volunteerism and the merits thereof.

If you require additional information, please call (805) 322-3051.

**KAHN, SOARES & CONWAY**

**ATTORNEYS AT LAW**

**1250 "I" STREET, N.W.  
SUITE 801**

**WASHINGTON, D.C. 20005**

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**TELEPHONE (202) 347-9300**

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SACRAMENTO, CALIFORNIA 95814  
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(916) 448-3826**

**711 N. COURT STREET, SUITE F  
VISALIA, CALIFORNIA 93291  
Fax (209) 738-8436  
(209) 738-8418**

**JAN L. KAHN  
Hanford, Ca.**

**Jan L. Kahn was born in Fresno, California on April 1, 1944. He attended Fresno City schools, including Fresno City College. He graduated from Fresno State University in 1969, with a B.A. degree. Graduated from the University of the Pacific, McGeorge School of Law in 1972.**

**Mr. Kahn has practiced law in Hanford, California, since 1973 and is a founding partner in the law firm of Kahn, Soares, and Conway- with offices in Hanford, Sacramento, and Visalia California, and in Washington, D.C.**

**In addition to his law firm business, Mr. Kahn has served as a member of the Hanford City Planning Commission and has served on the board of the Kings County YMCA. He is currently a member of the board of the Kings County Art Foundation and The Taoist Temple Preservation Society.**

**He, and his wife Jenny have five children- Aaron, Marcus, Sarah, David and Daniel.**

**NAME:** ROBERT H. OLIVER

**ADDRESS:** 6285 N. Thorne  
Fresno, CA 93711  
(209) 431-3516

**FIRM:** WILD, CARTER, TIPTON & OLIVER  
A Professional Corporation  
246 West Shaw Avenue  
Fresno, CA 93755-6339  
Telephone: (209) 224-2131  
1973 to present; became a partner in 1975

**SELECTED  
PROFESSIONAL**

**ACTIVITIES:** Foundation of the State Bar of California; President 1990 - present  
Board of Governors - State Bar of California 1988 - 1991;  
a Vice President 1990 - 1991  
National Conference of Bar Foundations; Director 1992 - 1994  
Commission on Judicial Nominees Evaluation; 1987 - 1988  
Appointed by State Bar Board of Governors to evaluate all  
judicial nominees for the State Court Judicial positions and to the

**ACTIVITIES:**

St. Agnes Medical Center Foundation; 1989 - Present; Chair 1989 - 1991

Fresno Rotary Club, (24th Largest Club in U.S.); President 1986 - 1987

KVPT Channel 18 Public Television "The Great TV Auction"; Chair 1988 - 1991

CSUF Business Associates Executive Board; 1989 - Present; Chair 1991 - present

CSUF Foundation Board of Governors; 1990 - Present

CSUF Planned Gifts Advisory Council; 1987 - Present

CSUF Business Advisory Council and University Business Leader Advisory Board; 1989 - present

Sequoia Council/Boy Scouts of America, Executive Board; 1988 - Present

Fresno Regional Foundation, Board of Governors; 1992 - present

St. Agnes Medical Center Capital Campaign 1987 (2.6 Million Fund Drive); Co-Chairman 1987

Leadership Fresno Steering Committee 1984 - 1989

Valley Business Conference Executive Committee 1986 - 1990; Moderator, 1989-1990

Salvation Army Advisory Board, Member, Advisory Board 1974 - Present; Chairman 1979 - 1980

Fresno County Air Pollution Control District Hearing Board 1975 - 1976

Ad Hoc Committee on Citizens Participation 1974 (This Committee was charged, by the City of Fresno, with responsibility for developing a viable citizens' participation program to take effect as of July, 1974)

Fresno County Emergency Housing and Program Development Corporation; Secretary and Director 1974

Board of Directors - Jaycee's 1967 - 1968

Board of Directors - Fresno State College Alumni Association

1988

Expression of Appreciation; Board of Governors, the State Bar  
of California, 1989

Outstanding Member Award; Fresno County and City Chamber of  
Commerce - 1987

State Bar Award for Contribution to Voluntary Legal Services,  
1983 and 1984

Certificate of Appreciation--Jr. League of Fresno, Inc. 1984  
and 1985

Certificate of Appreciation--Discovery Center - 1982

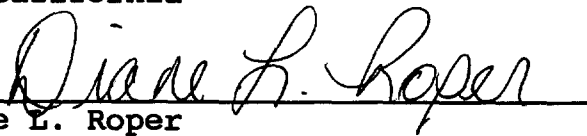
Salvation Army Special Award for Service 1981

CERTIFICATE OF SERVICE

I, Diane L. Roper, a secretary in the law firm of Fletcher, Heald & Hildreth, do hereby certify that true copies of the foregoing "Petition for Leave To Amend" were sent this 18th day of March, 1993, by first-class United States mail, postage prepaid, to the following:

\*Roy J. Stewart, Esquire  
Chief, Mass Media Bureau  
Federal Communications Commission  
1919 M Street, N.W., Room 314  
Washington, D.C. 20554

Theodore D. Frank, Esquire  
Arent, Fox, Kintner, Plotkin & Kahn  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5339  
Counsel for Community Television  
of Southern California

  
Diane L. Roper

\*By Hand